

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STEVEN MILNER,

Petitioner,

v.

Case No. 16-10127

BONITA HOFFNER,

Respondent.

**ORDER GRANTING PETITIONER'S MOTIONS TO AMEND PETITION FOR WRIT OF
HABEAS CORPUS**

Petitioner Steven Milner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent filed an answer to the petition. Before the court are two motions filed by Petitioner seeking leave to amend his petition to include claims that were exhausted in the state courts since he filed this action. (Dkts. ## 3 & 8.) Federal Rule of Civil Procedure 15 provides that the court should freely allow a party to amend a pleading when justice so requires. Fed. R. Civ. p. 15(a)(2). Respondent's answer, filed after Petitioner filed his motions, includes a response to the additional claims Petitioner wishes to include in his petition. The court concludes that Respondent will therefore not be prejudiced by allowing Petitioner to amend his petition to add these two claims.

Accordingly,

IT IS ORDERED that the two motions to amend (Dkts. ## 3 & 8) are GRANTED and the supplemental brief asserting the two new claims is DEEMED as part of the petition for habeas relief. No further briefing is required.

s/Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

Dated: September 22, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 22, 2016, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522